

**Conservation Commission
Minutes of October 13, 2016
Public Hearings
Mashpee Town Hall
Waquoit Meeting Room**

Commissioners Present: Bradford R. Sweet, Chad Smith, Dale R, McKay, Thomas J. O'Neill, Robert C. Anderson, John R. Rogers, Ralph B. Shaw, Jr., and Louis DiMeo (alternate)

Staff Present: Drew McManus (Conservation Agent) and Judy Daigneault (Recording Secretary)

CALL MEETING TO ORDER: 5:55 p.m.

The meeting was called to order with a quorum by Chairman Brad Sweet at 5:55 p.m.

There was no public comment

PRE/POST-HEARING AGENDA:

Minutes: Approve August 11, 25, and September 22, 2016 Minutes

Motion: Mr. Shaw moved to approve the August 11, 2016 minutes, seconded by Mr. McKay. Mr. Shaw, yes; Mr. McKay, yes; Mr. Rogers, yes; Mr. Anderson, yes. Mr. O'Neill, abstained; Mr. Smith, abstained, Mr. Sweet, abstained. Vote 4-0-3

Motion: Mr. Shaw moved to approve the August 25 minutes, seconded by Mr. McKay. Mr. Shaw yes; Mr. McKay, yes; Mr. Rogers, yes; Mr. Smith, yes. Mr. Sweet, abstained, Mr. O'Neill, abstained; Mr. Anderson, abstained. Vote 4-0-3

Motion: Mr. Shaw moved to approve the September 22, 2016 minutes, seconded by Mr. McKay. Mr. Shaw, yes; Mr. McKay, yes, Mr. O'Neill, Mr. Anderson, yes, Mr. Rogers, yes. Mr. Sweet, abstained, Mr. Smith abstained. Vote 5-0-2

Review of RFP for surveyor services - encroachment onto Conservation land at 20 Swain Circle (Noisy Hole CA)

The Agent referred to a copy of Request for Proposals for surveying services to mark the boundaries of a possible encroachment from two private residences onto Town-owned conservation land on Swain Circle. He sent the RFP out to 4 engineering companies. He said if anyone has any questions to let him know. If there is an encroachment a permanent marker will be put in to show the boundaries of the property. He will be contacting town counsel to see if the expenses could be recouped from the residents if there is an encroachment.

HEARINGS:

6:00 Gregory S. Bush, Trustee, 55 Santuit Lane. Proposed repair of existing licensed dock. RDA

Resource Area: Land Under Waterbody and Waterways, Santuit Pond

Greg Bush stated he was asking for approval to rebuild the existing licensed dock. The plan is to rebuild what is there now. He is planning to use 2 by 6 lumber for construction. The Agent noted the Chapter 91 license and stated in this case where the dock will be rebuilt in the same footprint, typically no new license is required. Mr. Bush said his plan is to replicate the dock with no flotation device. The Agent suggested submitting the town's permit to the State to obtain a simplified license. He also reminded Mr. Bush the dock needs to be marked with signage depicting the street address and the Chapter 91 license.

Motion: Mr. Shaw moved a Negative Determination, seconded by Mr. McKay. Vote unanimous. 7-0

6:03 Mark J. and Stephanie A. Perreault, 55 Nashawena Road. Proposed demolition and reconstruction of single-family dwelling with addition of a garage. RDA

Resource Area: Flood Zone

Tom Bunker, BSS Design, represented the applicant. He explained the proposed project is to tear down the present house and rebuild a single-family house with the addition of a garage. He noted the house will be rebuilt on the same footprint. The Agent stated the project is outside of the vegetated bordering wetland and the flood zone, with the exception of a small portion of the driveway. The driveway is proposed to be crushed stone. The Agent noted the Board of Health commented no application or review is necessary. The Agent recommended siltation control at the construction site to contain any runoff.

No comments from the public

Motion: Mr. Shaw moved for a negative determination, seconded by Mr. McKay. Vote unanimous. 7-0

6:06 Christopher L. and Mary Elizabeth Winslow, 21 Deborah Bottle Road. Proposed construction of single-family dwelling, deck and garage. NOI

Resource Area: Buffer zone to inland bank, Bordering Vegetated Wetland, Land Under a Fresh Water Body. Deborah Bottles Pond

Matt Farrell, J.M. O'Reilly & Associates, represented the applicants. He explained the project is to construct a single family dwelling and detached garage. No work is proposed in the 50 foot buffer. He said he filed with the Board of Health and received approval. The Agent verified the work limit on the plan. He inquired about the landscaping around the

dwelling. Mr. Farrell stated the area will be mainly grass. The Agent requested a landscape plan showing where the lawn is to be planted and noted the Commission has lawn standards. The Agent noted this area was cleared some time ago and wiped out a number of trees which has nothing to do with the application. The Agent noted the vegetated wetland and that the 50 foot buffer is not being disturbed, but some encroachment into the 100 ft. buffer may trigger a one to one mitigation. He would meet with applicant to discuss the mitigation requirements.

No comments from the public

Motion: Mr. Shaw moved to Close and Issue, seconded by Mr. McKay. Vote unanimous 7-0

Conservation Commissioner Training/Review Meeting - proposed dates

The Agent suggested hosting a meeting to do a refresher on the bylaws and meeting protocols. He stated it would be a public meeting and would need to be posted with the town clerk. He will send out some dates and if the commissioners could get back to him with their preferences on time and dates, he will then prepare an agenda.

Town Meeting articles – Conservation Commission

The Agent noted there is one article on the Special Town Meeting Warrant which is to add some language that was omitted from the 100 foot abutter from property lines notification bylaw.

Shellfish warning - beds closed

The Agent stated there is a shellfish advisory sent out by Rick York, Shellfish Constable, regarding the shutdown of shellfish beds in Mashpee due to toxic algae bloom

New Seabury Golf Course mitigation - field trip

The Agent stated he was approached by the consultant working on the mitigation on the New Seabury Golf Course violation of the clearing of the plantings on the coastal bank. The area has grown in very thick and the consultant asked if mitigation was still necessary in this area. The consultant felt the mitigation may cause more harm than good because the site is stable. The Agent suggested the commissioners may want to go out to the site to take a look at it. He said it is mostly sassafras and green briar where there was more diversified before it was cleared. It has changed significantly as far as wildlife habitat is concerned. The Agent stated an option would be to find another available area along that bank nearby that may be an opportunity to mitigate an increase in the buffer zone. Mr. Sweet suggested also checking Mark Gurnee's project area to see how that is working out.

Update: Eversource easement/runoff issues - Mashpee River

The Agent spoke about the Eversource easement along Mashpee River and noticed there

was erosion control that is tattered and fallen apart and a tremendous amount of fill leading towards the river. He notified Eversource and they are going to do some erosion control to prevent the dirt washing out towards the river. He will be on site with their environmental people to figure out a solution.

Air Force Civil Engineering Center: Presentation on Oct. 27th

The Agent notified the commissioners the Air Force Civil Engineering Center will be making a presentation at our meeting on October 27th. He sent out a PDF report of the FS1 Plume Treatment Operation on the fuel spill of one plume that came from the Mass Military Reservation into Quashnet bogs. The Air Force was required to construct a water treatment plant and filtering the groundwater and removing ethylene dibromide which is the chemical that leached into the groundwater into that area. The report summarizes the work that has been done but all signs point towards another 5 years before the project is complete. The Air Force will make a presentation on what is out there and noted this relates to the restoration of the upper Quashnet River.

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed).

The Chair noted The National Wildlife Refuge cleared out vegetation and created a fire break for wildlife habitat. He noted as a result there are ten dead pitch pines in this area and was concerned these pitch pines may be a hazard. The Agent stated he would notify Tom Eagle and have him address the issue.

Motion: Mr. Shaw moved to adjourn, seconded by Mr. Rogers. Meeting adjourned 7:45 pm. Vote unanimous 7-0

Respectfully submitted:

Judith Daigneault, Recording Secretary